

REMARKS

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Claims 1-20 are now present in this application, of which independent claims 1, 11, and 17 are independent. Claims 1-16 have been amended and claims 17-20 have been added.

Reconsideration of this application, as amended, is respectfully requested.

Priority Under 35 U.S.C. § 119

Applicants thank the Examiner for acknowledging Applicants' claim for foreign priority under 35 U.S.C. § 119, and receipt of the certified priority document.

Drawings

The Office Action indicates that the drawings are accepted by the Examiner. Therefore, no further action is required at this time.

Rejection Under 35 U.S.C. § 112, 2nd Paragraph

Claims 5 and 10 stand rejected under 35 U.S.C. § 112, 2nd Paragraph. This rejection is respectfully traversed.

The Examiner alleges that the phrases "reinforcement rib is built in one body of the tub", of claim 5, and "protrusion is built in one body of the lip", of claim 10, are unclear.

In order to overcome this rejection, Applicants have amended claims 5 and 10 to correct each of the deficiencies specifically pointed out by the Examiner by amending the claims to recite "formed integrally with." Applicants respectfully submit that the claims, as amended, particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Accordingly, reconsideration and withdrawal of this rejection are respectfully requested. Applicants also note that dependent claims 5 and 10 have not been rejected over prior art.

Nonstatutory Obviousness-Type Double Patenting Rejection

Claims 1, 2, 6, and 11-13 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 2, 5, 10-12, and 15 of copending Application No. 10/722,426.

Claims 1, 2, 6, and 11-16 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-3 and 7-10 of copending Application No. 10/722,443.

Claims 1, 2, 6, and 11-16 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-3 and 9-11 of copending Application No. 10/722,455.

Applicants respectfully believe that the claims, as amended, overcome this rejection. In addition, Applicants submit that the Examiner has not made out a *prima facie* case of obviousness by explaining in detail how the individual claims rejected in the application are obvious, thereby not meeting the Examiner's burden of proof.

Accordingly, reconsideration and withdrawal of these rejections are respectfully requested.

Rejection Under 35 U.S.C. § 102

Claims 1-4, 6-9, and 11-16 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,256,823 to Kronbeter et al. ("Kronbeter"). This rejection is respectfully traversed.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

In order to advance prosecution of the present application, independent claim 1 has been amended to recite a combination of elements in a tilted drum washing machine including, *inter alia*, "a lip extending inwardly in a radial direction from an interior side of the gasket to prevent particles from being put in a space between the tub and the drum" and "a support member configured to prevent the lip from drooping to prevent an interruption between the lip and the drum."

In addition, in order to advance prosecution of the present application, independent claim 11 has been amended to recite a combination of elements in a gasket assembly of a tilted drum washing machine including, *inter alia*, "a lip extending inwardly from an interior side of the gasket around an inner circumference of the gasket to prevent particles from being put in a space between the tub and the drum" and "a support member configured to prevent the lip from drooping to prevent an interruption between the lip and the drum."

Similarly, new claim 17 has been added. Claim 17 recites a combination of elements in a tilted drum washing machine including, *inter alia*, "a lip extending inwardly in a radial direction from an interior side of the gasket around an inner circumference of the gasket to prevent particles from being put in a space between the tub and the drum" and "a support member configured to prevent the lip from drooping to prevent an interruption between the lip and the drum."

Applicants submit that Examiner has identified a first fastening member 54 of Kronbetter as corresponding to the claimed support. Applicants respectfully submit that the first fastening member 54 is configured to fasten a bellows 44 to a stationary drum 25 and is not configured to prevent a lip from drooping to prevent an interruption between the lip and the drum as required by independent claims 1, 11, and 17.

In addition, the ribs 69A, 69B, and 69C of Kronbetter are all formed on an exterior surface of the first fastening member 54 of bellows 44. Furthermore, the ribs 69A, 69B, and 69C are part of the fastening arrangement that attaches bellows 44 to the tub 40, and as such they are not formed around an entire inner circumference of the bellows 44. Thus the ribs 69A, 69B, and 69C do not prevent particles from being put in a space between drum 30 and tub 40 as required by claims 11 and 17.

For at least these reasons, Kronbetter fails to show or describe the claimed invention and the § 102 rejection of claims 1, 11, and 17 should be withdrawn.

With regard to dependent claims 2-4, 6-9, 12-16, and 18-20, Applicants submit that these claims depend, either directly or indirectly, from one of independent claims 11 and 17, which are allowable for the reasons set forth above, and therefore these claims are allowable based on their dependence from one of claims 11 and 17, as well as for their additionally recited subject matter.

Reconsideration and allowance thereof are respectfully requested.

Additional Cited References

Since the remaining references cited by the Examiner have not been utilized to reject the claims, but have merely been cited to show the state of the art, no comment need be made with respect thereto.

Office Action

The Office Action contains numerous characterizations of the invention, the claims, and the related art, with which Applicants do not necessarily agree. Unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization in the Office Action.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Chad D. Wells, Registration No. 50,875, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: December 11, 2006

Respectfully submitted,

By 
James T. Eller, Jr.

Registration No.: 39,538
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicants

CDW